

SUMMARY ABATEMENT ORDER AND NOTICE OF HEARING

**WELLS FARGO BANK N.A., AS TRUSTEE FOR,
CARRINGTON MORTGAGE LOAN TRUST,
SERIES 2006-FRE1 ASSET-BACKED PASS-
THROUGH CERTIFICATES
1610 E. ST ANDREWS PLACE
SANTA ANA, CA 92705**

AGENDA ITEM:	4a
HEARING DATE	August 28, 2014
HEARING TIME:	6:30 p.m.
HEARING PLACE:	City Hall, Council Chambers 200 E Santa Clara Street San Jose, CA 95113

**RE: 7159 VIA CORONA
SAN JOSE, CA 95139**

APN: 706-24-019

**TO THE PROPERTY OWNER AND ALL OTHER PERSONS HAVING ANY LEGAL
INTEREST IN THE ABOVE DESCRIBED PROPERTY LOCATED IN THE CITY OF
SAN JOSE:**

Please be advised that after inspections of the above described property by field investigators of the Code Enforcement Division, it has been determined that the property was found to be imminently dangerous based on the following conditions: one (1) garage side man door opening was broken and unable to be secured. Code Enforcement Division found it necessary to secure the one (1) garage side man door opening to prevent unauthorized entry.

The costs of the abatement actions, including the total cost of the actions taken and any allowable inspection fees, will be invoiced to the property owner. The invoice shall be paid within 30 days from the date that the invoice is mailed. Failure to pay the invoice amount may result in the imposition of an assessment and a lien against the property in accordance with San Jose Municipal Code Section 17.02.350.

Any person having any record, title or legal interest in the property may appear and protest the abatement action taken as identified in this Notice of Hearing at the time and place specified above. Please be advised that pursuant to San Jose Municipal Code Section 17.02.120, the City Manager may file in the Office of the County Recorder a certificate declaring the property a Public Nuisance. Failure to file a written protest prior to the hearing date or to appear at such hearing will constitute a failure to exhaust the administrative remedies.

Should you have any questions regarding this matter, please contact Tony Gonzalez, Code Enforcement Inspector, at (408) 535-7655.



Diane Buchanan, Acting Code Enforcement Official
Planning, Building and Code Enforcement

Enclosures

**OWNER: WELLS FARGO BANK N.A., AS
TRUSTEE, FOR CARRINGTON
MORTGAGE LOAN TRUST,
SERIES 2006-FRE1 ASSEST
BACKED PASS THROUGH
CERTIFICATES
1610 E. ST ANDREWS PLACE
SANTA ANA, CA 92705**

**AGENDA ITEM: 4a
HEARING DATE: August 28, 2014
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200 E Santa Clara Street
San Jose, CA 95113**

**ADDRESS: 7159 VIA CORONA, SAN JOSE, CA 95139
APN: 706-24-019**

INSPECTION REPORT

Status of Property

The residential property located at 7159 Via Corona, San Jose, CA 95139 ("Subject Property") is a vacant single family house As part of this Summary Abatement, one (1) garage side man door opening was secured by the City to prevent unauthorized entry.

San Jose Municipal Code Violations

17.72.030 Prohibition of Property Blight

- A. No person, whether as owner, agent, manager, operator, lessee, tenant, sub-lessee, or occupant in possession of a property, shall maintain a blighted property or cause or permit property to be maintained as a blighted property.
- B. No person, whether as owner, agent, manager, operator, lessee, sub-lessee, tenant or occupant of a property, shall take any action or allow any action to be taken at that property in violation of any provision of this chapter or any order issued pursuant to the provisions of this chapter.

17.72.505 Unsecured building or structure.

Any building or structure that is unsecured constitutes property blight. A building or structure is unsecured when either of the following conditions exists:

- A. The building or structure is inhabited, occupied or used without the consent of the owner or the agent of the owner; or
- B. Unauthorized persons can readily gain entry to the building or structure without the consent of the owner or the agent of the owner.

One (1) garage side man door opening was open, broken and unable to be secured.

Chronology

06/27/14

Inspector Gonzalez conducted an inspection of the subject property. Upon arrival, Inspector Gonzalez inspected the Subject Property and found the single family home vacant and unsecured. Inspector Gonzalez discovered one (1) garage side man door opening broken and unable to be secured. Four (4) photographs were taken of the Subject Property. See true and correct photographs attached hereto as **EXHIBIT A**.

On this same day, Inspector Gonzalez researched the Santa Clara County Assessor records and the Santa Clara County Records records and confirmed that the Subject Property is owned by Wells Fargo Bank N.A., as trustee for, Carrington Mortgage Loan Trust, Series 2006-FRE1 Asset-Backed Pass-Through Certificates ("Property Owner") and the mailing address on record is 1610 E. St. Andrews Place, Santa Ana CA 92705.

Inspector Gonzalez also ascertained from Code Enforcement case notes and from the notice posted on the front door of the Subject Property that the Subject Property is currently voluntarily maintained and serviced by the Property Owner's local agent Steve Evert and the mailing address on record is 1087 Meridian Ave #20, San Jose, CA 95125.

Inspector Gonzalez immediately attempted to contact the Property Owner's local agent Steve Evert, via telephone, regarding the Subject Property. However, Steve Evert was not available. Inspector Gonzalez left a voicemail regarding the unsecured Subject Property and that it was required to be re-secured within twenty-four hours.

Shortly after the initial telephone call, Inspector Gonzalez received a return telephone call from Allen McGurk on behalf of Steve Evert. Inspector Gonzalez advised Mr. McGurk the Subject Property was unsecured, was required to be re-secured within twenty four (24) hours or the building would be secured by Code Enforcement to prevent unauthorized entry. Mr. McGurk stated he understood and would re-secure the vacant Subject Property within the required 24 hour time period.

07/01/14

Inspector Gonzalez re-inspected the Subject Property. Upon arrival, Inspector Gonzalez found the garage side man door to the Subject Property had not been secured. Two (2) photographs were taken of the Subject Property. See true and correct photograph attached hereto as **EXHIBIT B**.

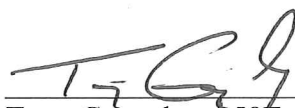
On this same day, Inspector Gonzalez telephoned the City's contractor, "Tucker Construction", to secure the one (1) garage side man door to prevent unauthorized access. One (1) photograph was taken of the Subject Property. See true and correct photograph attached hereto as **EXHIBIT C**.

CODE ENFORCEMENT STAFF RECOMMENDATIONS

Staff recommends that the San Jose Appeals Hearing Board uphold the abatement actions taken by the City of San Jose to secure the Subject Property to prevent unauthorized entry.

ATTESTING STATEMENT OF CODE ENFORCEMENT INSPECTOR

1. I am the Code Enforcement Inspector for the City of San Jose assigned to investigate the potential Municipal Code Violations at 7159 Via Corona, San Jose, CA 95139, that are the subject of this Inspection Report.
2. I have prepared and reviewed this Inspection Report and can attest to the truth of the matters stated above.

A handwritten signature in black ink, appearing to read 'T. Gonzalez', is written over a horizontal line.

Tony Gonzalez, 059E
Code Enforcement Inspector II

Exhibit A

6159 VIA CORONA

JUNE 27, 2014

Front



6159 VIA CORONA
INTERIOR

JUNE 27, 2014



6159 VIA CORONA
INTERIOR GARAGE

JUNE 27, 2014



6159 VIA CORONA

JUNE 27, 2014

UNSECURED GARAGE SIDE MAN DOOR

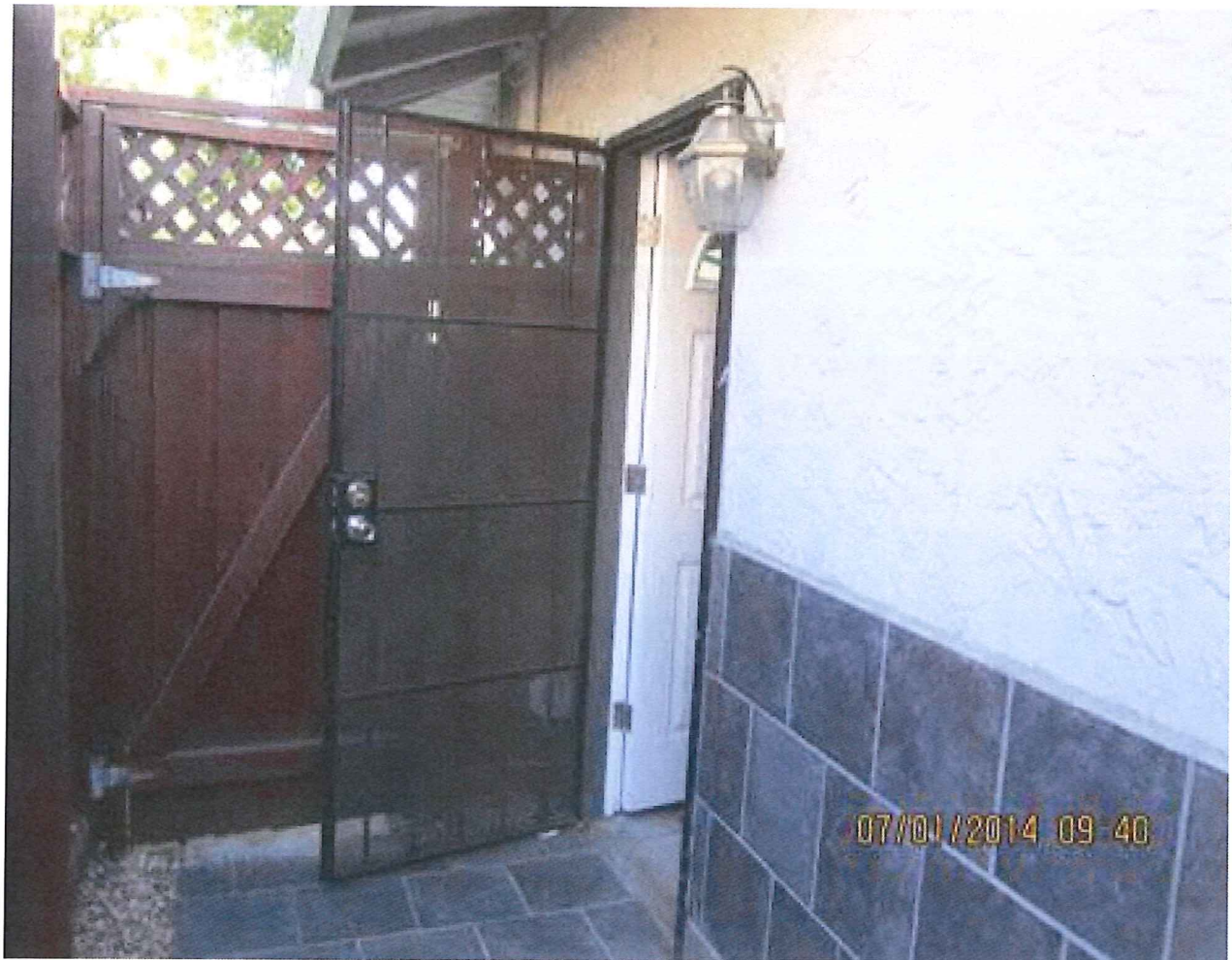


Exhibit B

7159 VIA CORONA

JULY 1, 2014

UNSECURED GARAGE SIDE MAN DOOR



7159 VIA CORONA

JULY 1, 2014

UNSECURED DOOR FROM GARAGE TO KITCHEN

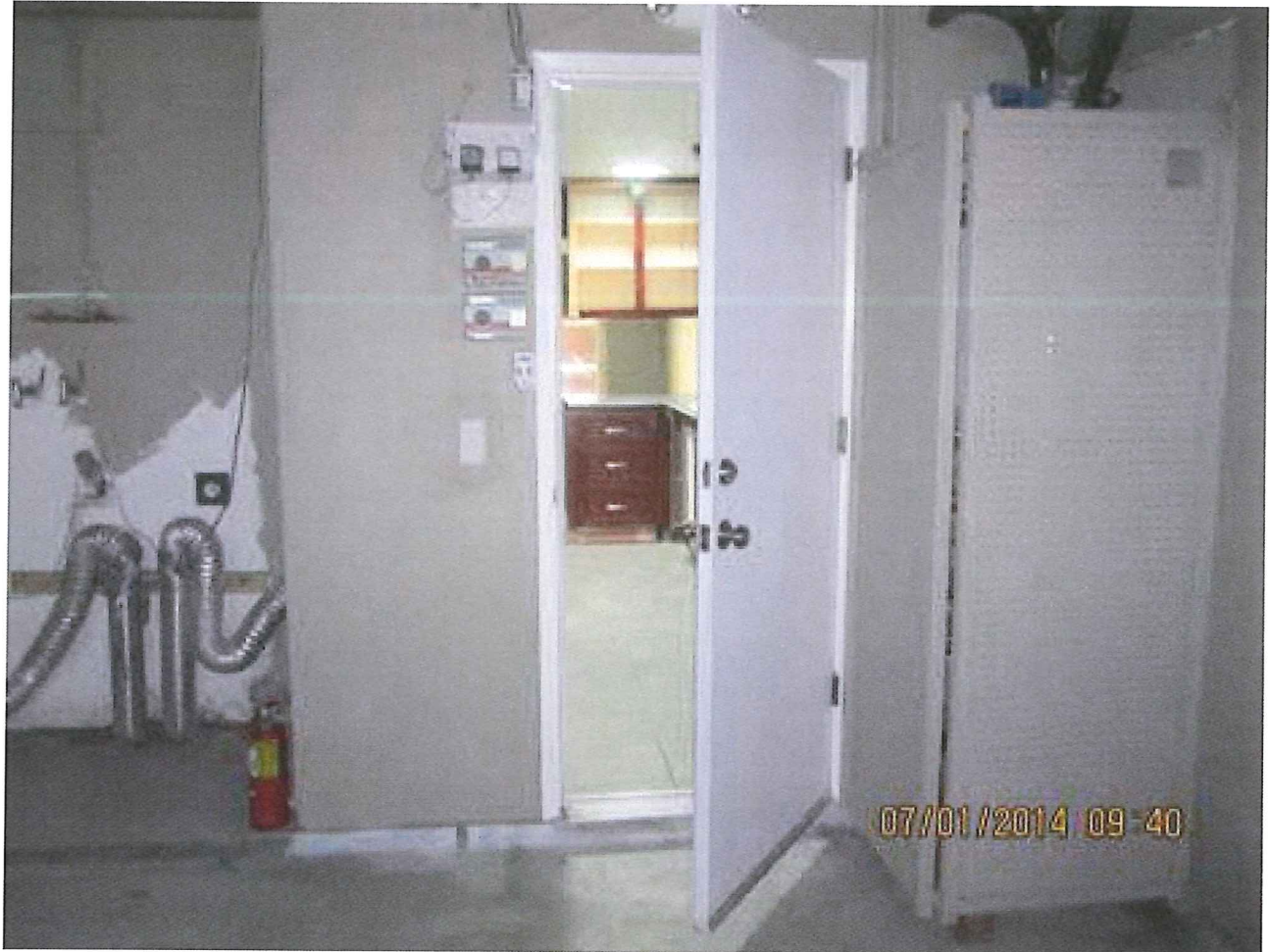


Exhibit C

7159 VIA CORONA

JULY 1, 2014

SECURED GARAGE SIDE MAN DOOR

